

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JESSE EARL AUL,	:	Civil No. 3:18-CV-2142
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CORRECT CARE SOLUTIONS, <i>et al.</i> ,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

**ORDER**

**AND NOW**, on this 26th day of October, 2020, for the reasons set forth in the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Medical Defendants' motion to dismiss, Doc. 23, is granted.
2. DOC Defendants' motion to dismiss, Doc. 26, is granted.
3. Plaintiff's Eighth Amendment claims against all Defendants, except DOC Defendant Nurse Chamberlain, are voluntarily dismissed. See Doc. 27, p. 4 and Doc. 31, ¶ 9.
4. Plaintiff's Eighth Amendment claim as to Nurse Chamberlain is dismissed without prejudice.
5. Plaintiff's direct liability negligence claims as to Defendants Campbell, Coffman, Preston and Nagle are dismissed without prejudice.
6. Plaintiff's vicarious liability claims as to all Defendants are dismissed with prejudice.

7. Within twenty-one (21) days from the date of this Order, Plaintiff shall file an amended complaint consistent with the Memorandum Opinion entered on this date.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Court Judge  
Middle District of Pennsylvania